Aussie Recycling
13 Bellfrog St, Greenacre

Scoping Report for State Significant Development Application

May 2022

4Pillars
ENVIRONMENTAL CONSULTING

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Acknowledgement of Country

4Pillars acknowledges the Traditional Owners of the land on which this site is located, the people of the Eora and Dharug nations. We pay our respects to their Elders past and present.

Disclosure statement

Mr James Hammond, Director of 4Pillars is engaged, via an EnviroNow services agreement, to provide environmental consulting services to Aussie Skips Recycling Pty Ltd. Mr Hammond fulfills the role and position of Environmental Manager for Aussie Skips Recycling Pty Ltd.

This document has been prepared by 4Pillars and Mr Hammond in their capacity as independent environmental professionals. The statements and conclusions of this document are based on an objective evaluation of the available facts and data.

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Table of contents

1 Introduction

This scoping report has been prepared to support Aussie Skips Recycling Pty Ltd (Aussie Recycling) application for State Significant Development approval (SSD) at their existing Waste Storage Facility at 13 Bellfrog Street, Greenacre (the Premises), where they propose to increase operations and expand activities.

Under the EP&A Act, the development application (DA) for an SSD project must be accompanied by an EIS that addresses the project-specific Secretary's Environmental Assessment Requirements (SEARs).

To obtain a project specific SEARs for an SSD project, the applicant must submit a scoping report to the NSW Department of Planning, Industry & Environment (DPIE), which is prepared in accordance with the State significant development guidelines – Preparing a scoping report (2021).

Relevant history

Aussie Recycling currently operates the premises under an existing DA (2012/175) and EPL (EPL 21389) with consent to operate as a waste handling and transfer facility. The Consent as issued authorises a scale of activity that is defined by truck movements, rather than by an annual mass or volume limit.

Previously, Aussie Recycling and their agents have argued the consent as written theoretically permits more than 500,000 tonnes per annum of waste materials to be received and handled-this is NOT the volume being proposed.

4Pillars was not directly involved in the Class 1 proceedings in late 2019 and early 2020, however, we understand that the matter of scale of operations were discussed at length. We were advised the EPA's view was that 200,000 tonnes per annum (tpa) was seen as a 'trigger' above which it was not reasonable to carry on the activity without a consent issued via a State Significant Development approval pathway.

Proposed development

Aussie Recycling look to increase the scale and activities of their current waste handling and transfer facility at 13 Bellfrog Street, Greenacre, and the proposed changes are summarised in *Table 1: Summary of site details* below and in further detail in Section 2.

Site details

Street Address	13 Bellfrog Street, Greenacre, 2190, NSW
Lots	LOT 15 DP1133214
Local Government Area	Strathfield Council
Zoning	IN1 – General Industrial (LEP 2012)
Development consent	DA2012/175
Environment Protection Licence	21389
Site operator	Aussie Skips Recycling Pty Ltd (ABN 23 614 855 506)
Scale of activities (current)	Waste Storage: 199,000 tonnes in any 12-month period. 8,000 tonnes at any one time.
Scale of activities (proposed)	Waste Storage: 300,000 tonnes in any 12-month period and 14,000 tonnes at any one time. Waste Processing: Soil screening and crushing and concrete screening and crushing up to 3000kt in any 12-month period. Receive wastes that meet the description of: GSW>CT1, Brick and Concrete, Asphalt, and Excavated Public Road Material. Changes to operating hours (further detailed in operating hours below)
Current infrastructure on Site	Warehouse, workshop, awning, waste storage bays, in-ground wheel rumble, four above ground tanks, and dual in-ground weighbridges.

Table 1: Summary of site details.

The proposed works are understood to exceed the 'trigger' above which requires consent issued via a State Significant Development approval pathway, and as such, Aussie Recycling seeks to apply for a new State Significant Development Approval.

We thank the Department of Planning, Industry and Environment in advance for their timely assessment and decision on this proposal.

1.1 The applicant

The Site operator and applicant is Aussie Skips Recycling Pty Ltd (Aussie Recycling). Aussie Recycling is a waste management company, and their business activities include the operation of a resource recovery facility in Strathfield South, NSW (EPL 20885), and this Site located at 13 Bellfrog St, Greenacre, NSW. Site operations were first approved by Strathfield City Council in February 2013, under the Development Application Number 2012/175, for "construction of an industrial warehouse building with an associated workshop and use as a materials handling yard". On 4 March 2020, Aussie Recycling obtained Environment Protection Licence (EPL) 21389 for the Site.

1.2 Site context

The subject site is 13 Bellfrog Street, Greenacre – Lot 15 DP 1133214 (the Site). The Site is located in an area of industrial activity, and is bounded on all sides by industrial sites, including warehouses (to the west and east), a 24-hour concrete batching plant (to the north), and factory units (currently under construction and imminently completed by the same owner as our site) to the south (see Error! Reference source not found.).

The nearest residential receivers are to the south and west, approximately 80 m and 105 m distance from the site, respectively. The nearest arterial road (dual carriageway) is Punchbowl Road, approximately 130 m to the east. The nearest main road is Juno Parade, approximately 120 m to the south.

The Site is located within land zoned under the Strathfield Local Environment Plan 2012 as IN1: General Industrial. There are four licensed monitoring points in total, three of which (for noise) are located at three residential receivers to the south, south-west, and west of the Site, and one (for water) which is located on the Site.

1.3 Overview of current operations

The site operates as a waste handling and transfer facility, with a current capacity to receive and handle 199,000 tonnes of waste material each year. Earthworks materials and certain other permitted wastes are brought to the site from various construction and infrastructure project sites around Sydney. Materials are handled and segregated into different streams, which are either assessed against Resource Recovery Orders or otherwise waste classified. Materials are exported for direct re-use or sent on to other facilities for further processing.

The flow of material through the site under the current operation is shown in Error! Reference source not found..

1.4 Hours of operation

The proposed development looks to incorporate a number of different activities and processes within the Site. As such, a range of different operating hours are proposed to reflect the level of impact on the surrounding land and receivers. Proposed hours of operation have been outlined below and are summarised in table 1 in section 1.

Transport / handling / tipping / loading

It is expected that activities including transport of material, associated handling, tipping and loading will occur between 6:000AM to 12:00AM Monday to Friday, and 6:00AM to 10:00PM Saturday.

Processing

Processing operations, which will include the operation of multiple mobile plants simultaneously, crushers and screening will produce the highest level of impact to the surrounding environment, and is proposed to maintain similar operating hours as presently conducted. Proposed operating hours are 6:00AM to 6:00PM Monday to Saturday.

Workshop

The on-site workshop, which is located in the north eastern corner and confined to within the workshop, is expected to have minimal impact to the surrounding environment and nearest sensitive receivers. Due to the nature of works proposed within the workshop, it is suggested that operating hours will be 24 hours Monday to Saturday.

Other low-impact activities including; Sampling and truck washing

Low-impact activities which are highly unlikely to cause disturbance to the surrounding landscape or nearest sensitive receivers are proposed to operate over a 24 hour period Monday to Saturday, similar to the workshop activities.

1.5 Works required

It is understood that no structural construction works are required or proposed for this SSD Application. The proposed development does not look to stage the project as the development is primarily concerned with a change of use and increasing total volume passing through the site and being stored at one time. Due to this, there are no construction stages planned nor any required construction mitigation measures.

Additional changes to the Premises focus on additional processing activities and involve mobile plants operating within the yard and the shed. These will include the following:

Plant design & Processing

It is proposed that an additional plant possibly consisting of a 5 part series, including a belt feeder, incline conveyor, rotating trommel screen and a maintenance walkway. It is proposed that this plant will sit above the existing and proposed bays located in the northern section of the yard.

Concrete processing is proposed to occur within the existing shed on site and is proposed to include a mobile concrete plant consisting of a jaw crusher, stacker conveyor and triple deck screen. These are not considered significant installations or considered a form of construction.

Water Management on Site

Current water management approved on Site is proposed to stay the same, with the introduction of a Penstock valve at the open discharge point to eliminate any risk of uncontrolled discharges occur.

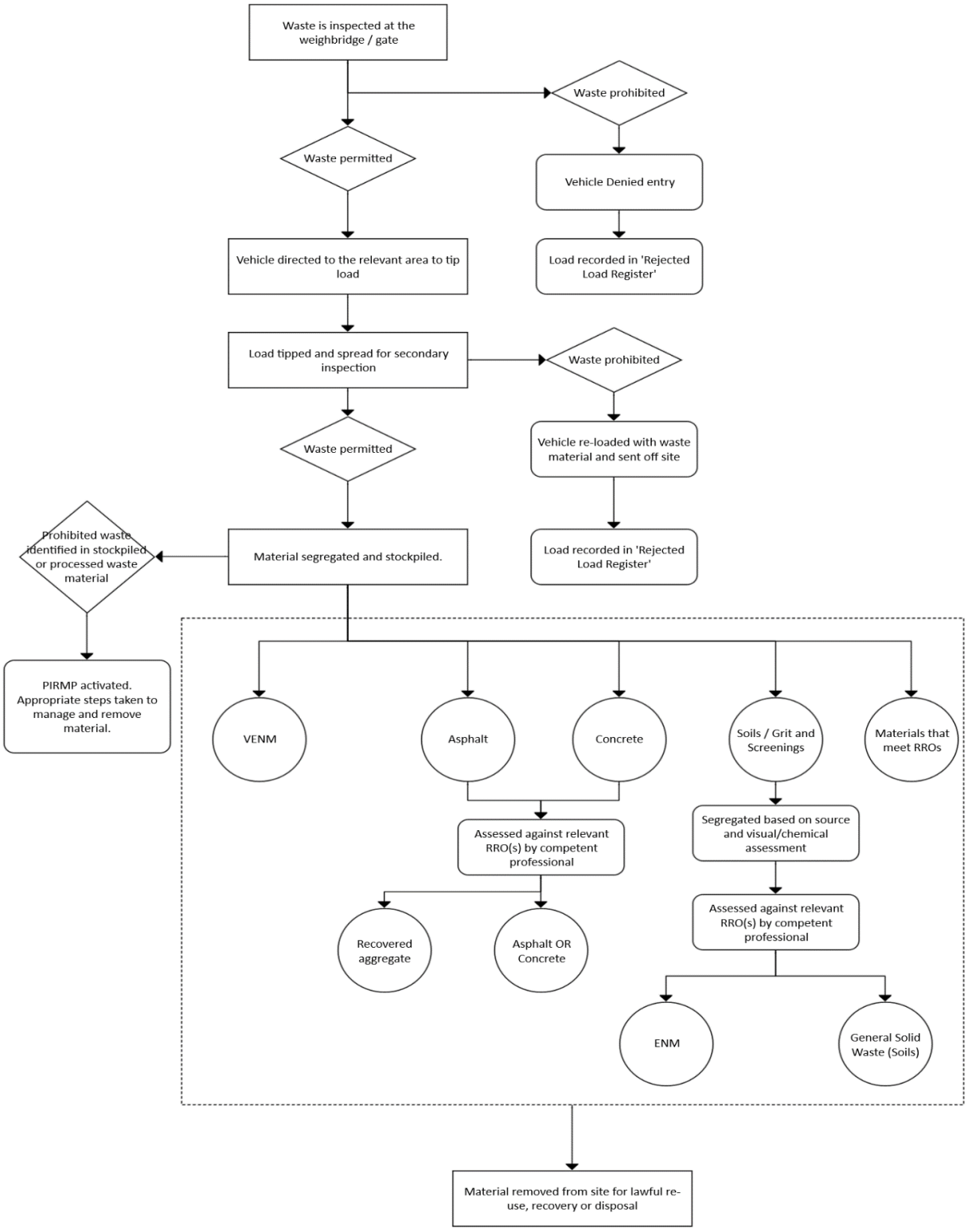


Diagram 1: Material receipt, storage and export procedure.

2 The proposal

2.1 Proposed modifications

This proposal seeks approval through a State Significant Development to allow the for an authorised quantity of material received at the Premises to be up to 300,000 tonnes in any 12-month period, with an additional Site activity which would include the processing of soil and concrete materials.

1. Increase in authorised amount

Increase the authorised amount of waste permitted on the Premises at any one time from 8,000 tonnes to 12,000 tonnes (Condition L3.2 of the EPL).

2. Increase in capacity

Increase the permitted annual quantity of material to be received at the Premises, from 199,000 tonnes in any 12-month period, to 300,000 tonnes in any 12-month period (Condition L3.3 of the EPL).

3. Additional activity

The current EPL allows for the scheduled activity of *Waste Storage*. The Premises will now include the additional activity of processing materials screening and crushing of soils and concrete.

4. Additional waste types received at the premises

The current EPL allows for Soil that meets the CT1 thresholds for general solid waste in Table 1 of the Waste classification. The proposed development looks to extend the range of materials permitted to be received at the Site, which seek to include (but are not limited to) the following: Concrete, ceramics, Soils (including soils >CT1), General Resource Recovery Orders (RROs) including EPRM.

2.2 Overview of proposed operations

The waste storage operations will not significantly differ from the current operations, other than occurring at a larger scale. The proposed introduction of material processing, including screening and crushing concrete will occur within the existing shed and will include the introduction of additional mobile plant(s) on the site.

The key features of proposed operations are as follows:

- Increase total throughput of materials to 300,000 tonnes per annum;
- The ability to process materials – screening soils and crushing and screening concrete;
- Continue to run soil processing operation outside the yard as it is occurring currently;
- Concrete processing activities to occur within the shed at an expected amount of 50,000 – 75,000 tonnes processed per annum, and;
- Introduction of additional Soils and materials received on Site.

3 Existing Consent

3.1 Existing development Consent

DA No. 2012/175

As part of the development application process in 2012, a Statement of Environmental Effects was prepared by Borg Architects (the 2012 SOEE). The determination of the application was made by Strathfield Council on the 19th of February 2013, with the approved Consent (2012/175) operating from the 2nd of May 2013. The Consent allows for the "construction of an industrial warehouse building with an associated workshop and use as a materials handling yard". Details about the specifics of the operations to be carried out on the Site were provided in the 2012 SOEE.

In February 2019, Aussie Recycling applied for an EPL for the Premises. At that time, Strathfield Council argued that the activities to be carried out on Site by Aussie Recycling were not permitted by the Consent, and that (therefore) an EPL could not be approved. Despite robust and logical arguments put forward by Aussie Recycling, their consultants and legal

representatives, Council refused to alter their position. The EPL application was refused on 5 July 2019 and Aussie Recycling subsequently commenced Class 1 appeal proceedings in the Land and Environment Court of NSW.

A Section 34 negotiated agreement was able to be reached between Aussie Recycling and the NSW EPA on 20 February 2020. Clause 1 of the 'Parties Agreement on Matters of Jurisdiction' dated 20 February 2020 states that "*The Parties note that DA 2012/175 has been issued by Strathfield Council on 19 February 2013 for the Controlled Development*". Therefore, this confirms the EPA's view that Consent exists for the type of scheduled activity for which the licence was granted.

Complying Development Consent No. 210597

A Complying Development Consent (CDC) was issued to Aussie Recycling on 19th March 2021 with consent to erect a roof awning extension and the installation of 2 in ground weighbridges and an inground wheel rumble. This was issued by NorthWest Services under the SEPP Exempt and Complying Development Code 2008 Part 5 Commercial and Industrial Alterations Code.

Aussie Recycling was required to provide a Statement of Environmental Effects (SOEE), stormwater plans, sediment control measures and a noise assessment.

Current Scale of activity

Currently Aussie Recycling operates the site with the scheduled activity of Waste Storage, with an operation capacity of 199,000 tonnes per annum with no more than 8,000 tonnes stockpiled on-site at any one time. Waste received on Site include Soils that meet the CT1 thresholds for general solid waste.

Infrastructure on the Site includes the approved in ground weighbridges and inground wheel rumble, awnings, upgraded water management system consisting of 5,000L Slim Line water tanks, three 50,000L reuse water tanks and new pump and pipeline.

3.2 POEO Act - Existing Environmental Protection Licence

Approved EPL Variation and current EPL -July 2021

On 23 July 2020 Aussie Recycling submitted a license variation application to vary conditions on their Environment Protection License No. 21389. The variation sought to increase the throughput limit on the License from 160,000 tonnes per 12-month period to 199,000 tonnes and to increase the Authorised Amount from 4,000 tonnes to 8,000 tonnes of waste permitted on the Premises at any one time.

Aussie Recycling was required to produce a Water Quality Impact Assessment, Air Quality Impact Assessment and a Noise Impact Assessment among other documents.

The NSW EPA by accepted Aussie Recycling licence variation application on 8 July 2021 via a Notice of Variation (the Notice). The Notice included (but not limited to) the following variations to license No. 21389:

- L2.2 The authorised amount of waste permitted on the Premises cannot exceed 8000 tonnes at any one time
- L2.3 The quantity of material to be received at the Premises must not exceed 199,000 tonnes in any 12 month period.

3.3 Existing environmental management framework

To ensure ongoing compliance with the requirements of site approvals and other applicable requirements held in legislation, procedures have been developed and are contained within the Site's Plan of Environmental Management (POM). Site staff receive training in relevant sections of the POM. External environmental consultants and experts are consulted when necessary, to ensure that approaches remain up to date. Monitoring requirements contained within the EPL include monthly surface water sampling and quarterly noise monitoring, for which the resulting data is uploaded to the Aussie Recycling website, and reports provided to the EPA as required.

Waste tracking is performed using the weighbridge on Site and recorded in AussieWatch, which is proprietary, cloud-based software. Every month, Waste Contribution Monthly Reports (WCMRs) are submitted to the EPA via the Waste and Resource Reporting Portal (WARRP). At the end of every reporting period, an Annual Return is prepared and submitted to the EPA, which details compliance with the requirements in the EPL, and all monitoring undertaken.

Aussie Recycling operates under an accredited Integrated Management System (IMS), which integrates WHS, Quality and Environmental Management systems, to the relevant ISO standards.

The above plans, procedures, and reports are all referred to in further detail in later sections of this document.

During the EIS, if it is found that existing management frameworks are inadequate or require altering to account for the proposed increase in scale, these will be amended accordingly.

4 Regulatory Context

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (**EP&A Act**) sets out the provisions under which planning in NSW takes place. The main parts of the EP&A Act that relate to development assessment and approval are Part 4 and Part 5 of the Act.

State Significant Development

The proposed development is defined as State Significant Development under clause 4.36(2) of the environmental Planning and Assessment Act 1979.

Division 4.7, Clause 4.36(2)

A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

This development is considered "State Significant Development" under the SEPP (State and Regional Development) 2011. section 4.3.

Integrated development

Division 4.8 *Integrated Development* Clause 4.46 (1) *What is "integrated development ?"* defines integrated development as

Division 4.7, Clause 4.36(2)

*"Integrated development is development (**not being State significant development** or complying development) that, in order for it to be carried out, requires development consent and one or more of the following approvals – "*

While the proposed development will require approval from the Protection of the Environment Operations Act 1997, because it is characterised as a State Significant Development (See section 4.3 below), it cannot be characterised as Integrated development.

Biodiversity Conservation Act 2016

The purpose of this Act is to "maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development (described in section 6(2) of the Protection of the Environment Administration Act 1991)".

This Act specifically relates to the proposed development, as division 2 Section 7.9 of the Biodiversity Conservation Act 2016 (BC Act) requires that a **SSD** or SSI application **must be accompanied by a biodiversity development assessment report (BDAR) and must assess any significant impacts on biodiversity values of the proposed development.**

It is noted that, in the case that the Planning Agency Head and the Environment Agency head determine that the proposed development is not likely to have any significant impact on biodiversity, that the BDAR may not be required. In such cases, a BDAR Waiver must be accompanied upon submission for Request for SEARs (see section 8.9 and Appendix 1)

4.1 Canterbury Bankstown LEP

Note

Currently there is not a single set of planning rules for Canterbury Bankstown local government area. The Draft LEP will replace Bankstown LEP 2015 and Canterbury LEP 2012, however will not apply to development applications until the Department of Planning, Industry and Environment approves the Draft LEP.

In lieu of this, the Bankstown LEP (2015) is the appropriate legislation to review when looking at permissibility of the proposed development.

IN1 General Industrial Zone

The proposed site for the development is zoned as IN1 General Industrial under the LEP (excerpt below).

Objectives of zone

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*

The proposed use of the site is permissible, with consent, under the IN1 Zone – General Industrial as reported below:

2 Permitted without consent

Nil

(IN1) (3) Permitted with consent

Agricultural produce industries; Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; Garden centres; ***General industries****; Hardware and building supplies; Hospitals; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Markets; Medical centres; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres;* ***Any other development not specified in item 2 or 4***

(4) Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Schools; Sewage treatment plants; Signage; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies

The proposed development is best characterised as a Resource Recovery Facility, defined as a building or place used for the **recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources**, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

As a Resource Recovery Facility is not specified in items 2 – *Permitted without consent* or *4 – prohibited* under the Land Use table for Zone IN1, the proposed development is considered permissible with consent.

4.2 Protection of the Environment Operations Act, 1997

Part 1 in Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) lists activities that are declared to be scheduled activity by which a license is required for the premises at which it is carried out.

Aussie Recycling currently operates under DA 2012/175 and holds an Environmental Protection Licence (EPL No. 21389) for the scheduled Activity of ***Waste Storage*** with the following limits:

- Quantity of material received at the Premises cannot exceed 199,000 tonnes in any 12-month period, and,
- Authorised waste permitted on the Premises cannot exceed 8,000 tonnes at any one time.

The proposed development demands an increase in scale and an additional scheduled activity to be included in the EPL (Resource Recovery).

4.3 State Environmental Planning Policies

State Environmental Planning Policy (Planning Systems) 2021

Certain types of development that are considered State Significant Development (SSD) include certain mining and extraction operations, chemical and other manufacturing, energy generating facilities and certain **waste management facilities**.

For a development proposal to be considered or identified as an SSD it will generally be:

- Over a certain size;
- Located in a sensitive area, or
- Will exceed a specific capital investment value or a mixture of the above.

The SEPP (State and Regional Development) 2011 declares development to be State significant development for the purposes of the Act if -

*8(b) the development is specified in **Schedule 1** or 2*

Schedule 1 State Significant development – general

*23(3) Development for the purpose of a resource recovery or recycling facilities that **handle more than 100,00 tonnes per year of waste.***

As the proposed development seeks to handle up to 300,000 tonnes of waste per year, the development is considered to be "State Significant Development" as per the SEPP. Previous correspondence with the EPA, also demonstrated that it was their view that any throughput greater than 200,000 tonnes per 12-month period at Aussie Recycling, would be considered as requiring State Significant Development Approval.

State Environmental Planning (Resilience and Hazards) 2021

As the proposal is characterised as a Waste Facility, it is necessary to consider whether the proposal is considered a *potentially hazardous industry* or a *potentially offensive industry.* Chapter 3 of the Resilience and Hazards SEPP will apply if a proposal for an industrial development requires consent, and it is either potentially hazardous industry or potentially offensive industry.

Section 3.6 Clause 3.11 requires a preliminary hazard analysis in accordance with the current circulars or guidelines published by the Department of Planning to be submitted with the development application. The Department of Planning has developed a checklist and a risk screening procedure to assist in determining whether the development proposal falls within these categories.

The proposal will be assessed against a Hazardous and Offensive screening to define whether the development constitutes 'potentially hazardous industry' or 'hazardous storage establishment'. As the proposed development primarily concerns an increase in total scale, and no new introduction of hazardous materials or activities, the proposed development is unlikely to be considered hazardous or offensive development under this SEP. This will be further addressed in the EIS.

Chapter 4 – Remediation of Land (Resilience and Hazards SEPP continued)

As no construction or excavation of the Premises is proposed and the development is primarily concerned with increasing scale and processes, it is highly unlikely that Chapter 4 Remediation of Land will be applicable to this development.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposed development is considered development permitted with consent under clause 121 of Division 23, Part 3, of the *State Environmental Planning Policy (SEPP) (Infrastructure) 2007,* as reported below.

(1) Development for the purpose of **waste or resource management facilities**, other than development referred to in subclause (2), may be carried out by any person with consent on land in a **prescribed zone**.

Where a *prescribed zone* means any of the following land use zones or land use zone that is equivalent to any of those zones –

a) RU1 Primary Production,

b) RU2 Rural Landscape,

c) **IN1 General Industrial,**

d) IN3 Heavy Industrial,

e) SP1 Special Activities,

f) SP2 Infrastructure.

As the proposed development is located within an IN1 General Industrial zoning and is for the purpose of a waste management facility, the proposal is considered permissible with consent under the Infrastructure SEPP.

Precincts SEPPs

Sites which were previously within the *State Environmental Planning Policy (State Significant Precincts) 2005* have now been split across the 4 individual precinct specific SEPPS, these being; Eastern Harbour City 2021, Central River City 2021, Western Parkland City 2021, Regional 2021.

The proposed development does not fall within any of the four Precinct specific SEPPs and as such, the Precincts SEPPs do not apply.

5 Strategic context - Market conditions, demand and justification

Reuse and recycling are the focus of the Australian Government and NSW EPA's policies on waste management. Improved recycling rates and diversion of waste from landfill is essential to achieve the targets specified in the NSW *Waste Avoidance and Resource Recovery Strategy 2014-21 (WARR)*. The applicant shares this view and has therefore invested heavily into their operations, both at the subject Site and across NSW. The strengths of this State Significant Development application are primarily related to the role of the Site for import and export of a large amount of material that is regularly produced from infrastructure projects across Sydney. The Site's excellent, centralised location makes it desirable and efficient for waste generators, reducing the distance required for transporting material from the various projects which in turn ensures short turn-around times for delivery vehicles. Greenhouse gas and air quality benefits are also expected from reduced transport requirements.

The proposed development looks to increase total throughput at the Premises by an approximate 50% per 12-months and also seeks approval for processing activities including the screening and crushing of soils and concrete. This significant increase in annual throughput and processing supports the 2014-2021 WARR strategy targets of increasing recycling rates for commercial and industrial waste and looks to increase waste diverted from landfills

The Premises is currently operating efficiently and successfully, with existing control measures and procedures implemented and proving to be successful. This is seen as an advantage for the proposed development in that any additional control measures and management procedures would be more easily integrated into an existing system, than they would be when starting entirely new. It is understood that further improvements will be implemented to manage the additional scale.

The alternative would be to construct and develop an entirely new facility, which would take time, be costly, and pose new challenges or issues to environmental management, whereas this facility is already in place. We believe there is a strong justification to increase the Site's storage capacity, in order to allow for additional residence time should there be any delays in obtaining laboratory results for RRO classifications. The changes will ensure that the Site can continue to facilitate local infrastructure projects, provide local jobs, create efficiencies and cost-savings that are passed on to proponents and do so in a manner that has minimal impact on the community.

6 Consultation

6.1 Engagement

Due to the nature of the proposed development predominantly consisting of a change of use and an increase in scale, it is not expected that significant community backlash to the proposed development will occur.

However, it is understood that a proposed development of this nature includes a broad range of parties who are required to be engaged. These may include key groups or individuals within the community that may have an interest I the project (e.g. councils, government agencies and special interest groups). This engagement will be carried out proportionately to the scale and nature of the project, with due regard to the Department's *Undertaking Engagement Guidelines for State Significant Projects*.

6.2 Community consultation

Aussie Recycling will ensure consultation with the residential community. Local residents will be provided with a brochure or leaflet which will explain the proposal, its location, activity and the size of the development.

The following community consultation strategy has been proposed

1. Letterbox drop to all surrounding streets (these include both residential and commercial areas) – The leaflet will include details explaining the proposed development and will include an email for feedback, a link to a dedicated website for further comments and the Scoping Report, and details on the community consultation session.
2. A community consultation session – Proposed to be conducted via a teleconference or Zoom meeting format. Attendance will be required via RSVPs.
3. It is proposed that these feedback channels stay open for 30 days from the date of the letterbox drop.

7 Proposed assessment of impacts

7.1 Sensitive receivers

Current receivers

The Site is located in an area of industrial activity, and is bounded on all sides by industrial sites, including warehouses (to the west and east), a 24-hour concrete batching plant (to the north), and factory units (currently under construction and nearly completed) to the south. The nearest residential receivers are to the south and west, approximately 80 m and 105 m distance from the site, respectively (see **Error! Reference source not found.**).

In the current EPL, three nearby residential receivers are identified, which are located roughly to the south, south-west, and west of the Site. Between the Site and the southern receivers are two large industrial units. The nearest residences to the South are located on Juno Parade, which is a relatively busy thoroughfare for vehicles.

Future receivers

The immediate surrounding land is zoned as IN1 General Industry and IN2 Light Industry. It is not expected that there will be any significant increase in residential receivers in the immediate area in the future.

Therefore, the assessment of impacts focuses mainly on the current residential receivers.

Complaints

The Site has not received any complaints regarding noise, dust or any other environmental matters. No complaints have been received directly and we are not aware of any complaints being made to the EPA or Council. NSW EPA recently stated they had received complaints related to dust emissions from the Greenacre industrial area in general; however, considering the other contributors in the industrial estate (i.e. unsealed container yards, Hanson concrete batching plant, etc.) we have not been able to draw this complaint back to the operation of Aussie Recycling's facility.

7.2 Scoping potential environmental impacts

As this proposal is a modification in scale of current activities, rather than a new development or change of use, many of the environmental impacts expected from activities undertaken following the variation are already present and are actively mitigated and monitored under current approvals and internal frameworks.

The proposal includes a modification in the scale of current activities by approximately 50% and also includes a change of use to include processing. There is no construction work proposed and many of the environmental impacts expected from the activities proposed are already present and are thus actively mitigated and monitored under current approvals and internal frameworks.

However, due to the significant increase in scale of operations it important that all potential impacts are assessed thoroughly.

This section of the report looks to identify the matters requiring further assessment in the EIS and the proposed approach to assessing each of these matters, having regard to key findings in each section of the scoping report and the guidance from the *SSD Preparing a scoping report* guideline.

It is understood that due to Aussie Recycling having already operated at a similar scale, that a number of environmental investigations including SOEE's, Surface Water Characterisation assessments, noise assessments and traffic assessments, that the sites environmental impact is well understood and that a number of management and mitigatory practices have been implemented to ensure minimal to no impact on the surrounding environment.

It is understood that the key environmental concerns which the proposed development may introduce are thought to be focused to the following:

- Additional dust generation from screening & crushing activities both in the yard and within the shed.
- Additional traffic and truck movements due to the proposed increase in total waste material handled on the site being increased by approximately 50%.
- Additional noise impact introduced from an increase in truck movements.
- Introduction of Soils and materials with higher contaminant thresholds (including soils >CT1).

Other previous environmental investigations which were concerned with surface water quality, soil contamination and ground water, pollution incidents, and visual amenity are considered to be assessed and well understood and will have significantly less assessment time triggered from the proposed development.

The following section provides detailed information on each potential impact. Where those impacts are adequately addressed through existing controls, those controls are re-affirmed. Where potential impacts are new or different, commitments are given to additional avoidance/mitigation measures, to ensure they are effectively controlled.

8 Impact assessment

8.1 Relevance of existing environmental impact assessments

The existing SOEE (the 2012 SOEE) was prepared by Borg Architects as part of the original development application process in 2012 for the use of the Site as a materials handling yard, as well as the construction of an industrial warehouse building with an associated workshop.

However, in addition to the 2012 SOEE, several additional studies and assessments have since been undertaken to ensure that potential environmental impacts are managed effectively.

The Class 1 EPL appeal process in 2019-2020 resulted in a number of detailed environmental assessments being completed for the Site. These assessments were all done on the basis of an annual throughput of 200,000 tonnes per annum. As such, they remain relevant for assessing the potential impacts of the proposed activity. These assessments are referenced in this document as appropriate.

2020 SOEE – EPL Variation

In July 2020, Aussie Recycling requested a variation to their EPL (No. 21389) to increase total tonnes of waste material received per 12 month period and also to increase total waste permitted on site at any one time. The EPA requested that further environmental assessment was conducted prior to granting the EPL Variation. As such, a Statement of Environmental Effects (SOEE) was produced to assess the proposed variation and any potential environmental impacts. The approval of this variation also required additional mitigation measures implemented at the Site which are discussed in further detail in section 8.2

8.2 Surface water quality

The potential impacts of the operations on Site on surface water quality are managed via several existing controls. The Site currently captures and stores all water on Site, either for re-use or disposal as liquid waste to a licensed contractor.

While the proposed development proposes to store and process additional waste types including Soils (>CT1), it is understood that no additional risks to surface water quality are likely, as the current and proposed measures ensure that water is not discharged uncontrollably.

A number of reports and assessments have either been prepared which ensure that surface water on the Site is managed to a high standard, and that risks to the surrounding environment are significantly reduced. The potential contingency measures implemented at the site include engineering, elimination, procedural, isolation, and administrative measures These are detailed below:

Procedural & Administrative measures

- The site currently operates with a Plan of Environmental Management (POM), and provides a number of options to be considered if water monitoring indicates recurring exceedances of the limits in the current EPL.
- Site Plan of Management – titled 'Wet Weather Surface Water Management Procedure'. This document details the mechanisms which are to be enacted procedurally to ensure correct operation of the water management system on site.
- Pollution Incident Response Management Plan (PIRMP) – in the unlikely occurrence of an uncontrolled spill or overflow.

Existing and proposed Engineering measures

- Existing: Three (3) 50,000L reuse water tanks which provide a total of 282 kL of volume of on-site water storage and 175% of the volume required to capture a 5 day 90th percentile rainfall event for the Site, significantly improving the ability to store and treat water on Site, and to avoid uncontrollable discharges;
- Existing: Rumble grid and drive through wheel wash;
- Existing: Two (2) 5,000L slimline water tanks to supply water to the wheel wash and receive water pumped from the weighbridge pit;
- Existing: Roof extension to cover part of the concrete hardstand with revised pipework to deliver runoff in a pipeline along the boundary wall to the three (3) 50,000L reuse water tanks in the north-eastern corner of the Site; and
- Existing: Pump and pipeline from water treatment pit to the 5,000L tanks next to the weighbridge.
- Proposed: Penstock valve ensuring outlets are closed at all times, unless purposefully released/opened.

Taking the current procedures and engineering at the Site, and that the Site does not have uncontrolled discharges, it is not suspected that the proposed development will negatively impact the Surface Water Quality, and any additional investigations and assessments are expected to be limited.

Previous assessments

A runoff water quality management (WQM) report for the Site was prepared in September 2019 by Tooker & Associates. This report was prepared based on an expected throughput at the Site of 200,000 tonnes per annum of waste soil material. When the WQM report was prepared, it was expected that all handling of waste material would occur under cover, and that there would therefore be no runoff generated from the waste. Additionally, no runoff would enter or emanate from the workshop. Based on this, it was determined that the risk profile in terms of runoff water quality was solely normal pollutants generated from an industrial hardstand and building roofs, for which the pollutants of concern are gross pollutants, total suspended solids (TSS), total phosphorus, and total nitrogen. Water quality mitigation measures existing during the preparation of the WQM report included detention storage ponding over part of the hardstand, rainwater reuse tanks for the warehouse roof runoff, sawtooth grading of the hardstand to prevent surface water entering the materials handling area, an underground sedimentation basin along the front edge of the workshop building, a grass swale treatment system prior to off-Site discharge, and separate collection and treatment for any workshop waste. All of these measures have remained in place and are ongoing.

During the negotiation of the s34 Agreement, we understand the EPA disagreed that all waste would be stored under cover. The EPA required additional studies and controls, which are discussed below.

As required by Condition U1.4 of the Site's EPL, a Contingency Plan was prepared to address possible future failures of the site water management system to achieve a best practice environmental outcome, and was provided to the EPA via email on the 25th of March. This Plan was included in the Site's Plan of Environmental Management (POM), and provides

a number of options to be considered if water monitoring indicates recurring exceedances of the limits in the EPL. The contingency measures include engineering, elimination, procedural, isolation, and administrative measures.

Request for License Variation EPL 21389

Aussie Recycling was required demonstrate that the activities at the Premises would not result in the pollution of waters. As such, Aussie Recycling demonstrated that the additional installation of 3 x 50,000 L reuse water tanks in the north-eastern corner of the Site, would allow for an even greater on-site storage capacity, and would ensure adequate on-site volume to capture a 5 day 90th percentile rainfall event for the Site, and no uncontrolled discharges.

As of 8 July 2021, the license variation was approved via notice number 1609799 *Notice of Variation of License No. 21389.* This notice included the following relevant variations to the licence:

1. Pollution of waters: Any water that has come in contact with waste, or any hardstand area of the Premises must not be discharged from the Premises at any time.
2. Pollution of waters: The licensee must ensure that there is sufficient water storage capacity to prevent the discharge of water from the Premises in the event of rainfall.
3. Pollution of waters: The licensee must ensure that sufficient water storage capacity is maintained in order to comply with the conditions of the license. This may include disposal of waste water to liquid waste treatment
4. Waste: The authorised amount of waste permitted on the premises cannot exceed 8,000 tonnes at any one time.
5. Waste: The quantity of material to be received at the Premises must not exceed 199,000 tonnes in any 12 month period.

8.3 Air quality (incl. odour)

Previous air quality assessments concluded that predicted air quality impacts from Site operation at a scale of 200,000 tonnes per annum were well below the applicable assessment criteria and would not result in cumulative exceedances of NSW EPA impact assessment criteria and Site activities were not anticipated to adversely impact upon the surrounding environment.

The site currently operates with mitigation measures including carrying out operations on a solid concrete slab surface, three water cannons, a wheel wash system at the Site entrance, storage of material within bays consisting of concrete block side walls, a rear shed wall and an overhead steel waning, as well as further water misting sprays built into the awning.

The proposed development is unlikely to exceed these criteria, however due to this development proposing to operate at a scale of 300,00 tonnes per annum and to include the scheduled activity of *waste processing* (screening and crushing) it is proposed that an air quality modelling assessment is provided for the EIS.

8.4 Soil contamination and groundwater

The area of the Site which is used for materials storage and handling is sealed with a thick concrete slab, and the materials handling bays are covered by a large metal awning, to reduce the exposure of waste stockpiles to rainfall. Furthermore, the materials received and stored on the Site are restricted to those with low contaminant profiles, as per the table in Condition L3.1 of the EPL. Therefore, there is little risk of contamination of land or groundwater due to leaching through the hardstand into underlying soils and aquifer(s). Although an increase in the authorised amount is proposed, which would permit a larger quantity of material to be on Site at any one time, this is not expected to increase the potential for the contamination of soil and groundwater, particularly as the residence time of material at the site is in the order of days, following which bays are emptied and cleaned. The proposed increase in annual throughput will also not increase the potential for contamination.

8.5 Noise and Vibration

The previous Noise Impact Assessments was based on 200,000 tonnes per Anum of waste throughput and a set of operational equipment which does not include the proposed crushing and screening mobile plants, a detailed acoustic and vibration assessment of the proposed operations will be undertaken.

Noise associated with crushing and screening and the increase in truck movements will be addressed in the EIS via a Noise and Vibration Impact Assessment.

Previous Noise Assessments and considerations

A detailed acoustic assessment of the operations carried out by Aussie Recycling at the Site was undertaken in December 2019 by EMM. The noise impact assessment was based on 200,000 tonnes per annum of waste throughput and the same operational equipment and Site layout that will be maintained under the proposed operation (i.e. no additional machinery or extended operating hours are required).

The noise assessment was carried out in accordance with the Noise Policy for Industry (2017). The analysis and measurements were incorporated into a noise model, which was used to predict the Site contribution to noise levels at surrounding residential receivers. The assessment concluded that operational noise levels from the Site were predicted to satisfy the relevant levels for all receiver locations and periods, following construction of the industrial building to the south of the Site. The potential for sleep disturbance impacts from the operations was also assessed, and relevant criteria was expected to be satisfied at all assessment locations.

Since the assessment was undertaken, construction of the large industrial building to the south of the Site has been completed. This building is a significant barrier for the transmission of sound and will result in further reduction of noise (originating from the Site) at the nearest residential receiver on Juno Parade.

The machinery used on Site at present (and during the assessment) will be sufficient for the management of both the increased amount of material on site at any one time, as well as the total annual throughput of material. Therefore, noise levels from the Site are not expected to be increased significantly following the variation, and the conclusions from EMM's assessment remain valid. We reiterate that there have been no complaints of noise as a result of Aussie Recycling's operation since operations at the Site commenced.

In March 2020, as per Condition L4.12 of the Site's EPL, a Traffic Noise Management Strategy (TNMS) for the Site was prepared by EMM. The TNMS ensures that feasible and reasonable noise management strategies for vehicle movements associated with the premises are identified and applied. A number of mitigation measures that are implemented at the Site to control and minimise the generation of noise are contained within the Site's Plan of Environmental Management (POM). These include limiting the hours and types of operations carried out, restricting machinery used to that which will meet noise generation guidelines, ensuring that all machinery is operated correctly and maintained appropriately, and that noise reduction technology is used on fleet vehicles (e.g. skip bin trucks) where possible. Some of these measures are also required by Conditions in the Site's EPL. As well as the above, additional measures implemented include driver training to reduce noisy practices (minimising the use of compression braking etc.), parking vehicles to allow morning exiting without the need to reverse, avoiding using Juno Parade (a close-by residential street) as a thoroughfare where possible, induction of contractors in regard to specific noise management strategies, and taking disciplinary action against employees in breach of noise minimisation procedures.

Condition M6.1 of the Site's EPL requires that attended noise monitoring be undertaken quarterly for the first reporting period, and twice yearly thereafter, to determine compliance with the noise limits in Condition L4.1 of the EPL. The first quarterly noise monitoring event was undertaken in May 2020, with the subsequent report provided to the EPA via email on the 25th of June. Site operations during the monitoring were believed to be reflective of regular operations, and all EPL monitoring locations were accessible, ensuring that the monitoring was compliant with the requirements of the EPL. The assessment concluded that the Site contribution to both the LAeq and LAFmax values determined at all three EPL monitoring points throughout all sessions were compliant with the limits set in the EPL. As mentioned above, it is not anticipated that a change in the machinery used on Site or the activities undertaken will be required to manage the increase in the authorised amount and the annual throughput following the variation. Therefore, we do not expect any corresponding change in noise levels from the Site following the variation, and no non-compliances with the Site noise limits are predicted. Noise monitoring will continue to be carried out as required by the EPL.

8.6 Contaminated and non-permitted material

Since the EPL for the Site was obtained in early 2020, no contaminated or non-permitted material has been accepted onto the Site, due to the thorough pre-assessment and inspection procedures implemented prior to and during the receival of material, which are detailed in the Site's Plan of Management (POM). These procedures will continue to be implemented following the proposed development.

The proposed development looks to increase the *amount* of material that is currently permitted and received on Site, additional processing activities including crushing, screening and sorting and in particular, an increase in the waste types permitted on Site

The main hazards on the Site which have been identified as likely to cause a pollution incident are contaminated water storages, hydrocarbons, chemicals and illegal wastes. Management of these incidents is covered by the Site's Pollution Incident Response Management Plan (PIRMP) and accompanying Pollution Incident Response Procedure (PIRP).

It will be important that the Site's POM and PIRMP are revisited and updated accordingly. While the likelihood of pollution incidents are not expected to increase due to the proposed development, these will be addressed in relevant detail, in the EIS

8.7 Traffic

Previous traffic engineering advice provided by McLaren Traffic Engineering (MTE) reported that the Site has the physical capacity to receive the maximum number of vehicles as outlined within DA2012/175, even during the "worse-case scenario" of all hourly truck movements occurring simultaneously. MTE calculated that the Site has an annual capacity in accordance with DA2012/175 of 539,274 tonnes per annum.

While it is not expected that the proposed works will exceed the Sites capacity for maximum number of vehicle movements, due to the significant increase in proposed annual throughput, it is proposed that an additional Traffic and Transport report is provided to accompany the EIS submission.

8.8 Visual amenity

Activities on Site are obscured from outside view by the high walls around the Site, as well as the warehouse in the south-east of the Site. The majority of activities carried out on the Site are related to the management and handling of material, with other activities including truck parking, and storage of empty (only) skip bins. Material handling is carried out close to or within handling/storage bays or bunkers, which are open at the front and have sides constructed of large concrete blocks. These bays are located handled along the northern and north-western boundary of the Site, which is quite a distance from the entrance gate. A large metal wall and awning covers the bays to the rear and from above, further obscuring them from outside view. Following the proposed development, material will continue to be handled within the storage bays, which have adequate capacity to accommodate for the increase in material. Additional proposed activities of waste processing will occur within the yard and within the dedicated shed on site. Therefore, the proposed development is not expected to change the external visual appearance of the Site, or its impacts on the visual amenity of the area.

8.9 Heritage

The proposed development exists on a brownfield site, containing no items of environmental heritage within the Site or within the immediate vicinity of the site. As such the proposed development does not breach any items mentioned in the *NSW Heritage Act 1977*.

8.10 Biodiversity (Flora and Fauna)

Division 2 Section 7.9 of the Biodiversity Conservation Act 2016 (BC Act) requires that a SSD or SSI application must be accompanied by a biodiversity development assessment report (BDAR) and must assess any significant impacts on biodiversity values of the proposed development.

A BDAR report serves as a consistent method for the assessment of biodiversity, including assessing certain impacts on threatened species and threatened ecological communities, their habitats, and impacts on biodiversity values.

BDAR Waivers can be issued by the Department of Planning and Environment (the Department) when it is demonstrated that the SSD is not likely to have a significant impact on biodiversity values.
A proposed development is considered unlikely to have any significant impact on biodiversity if it:

- Will not clear or remove native vegetation other than: a few single trees with no native understorey in an urban context.
- Planted native vegetation that is not consistent with a Plant Community Type (PCT) known to occur in the same Interim Biogeographic Regionalisation of Australia (IBRA) subregion (e.g. street trees, trees in carparks, landscaping).
- Will have negligible adverse impacts on threatened species or ecological communities, considering habitat suitability, abundance and occurrence, habitat connectivity, movement and water sustainability including consideration of any non-natural features, non-native vegetation and human-built structures.
- Will have negligible adverse impacts on protected animals because of impacts to flight path integrity.

Applying for BDAR Waiver

The Biodiversity Conservation Act 2016 (BC Act) requires than a SSD or SSI application must be accompanied by a biodiversity development assessment report (BDAR), it is understood that the proposed development is occurring on a brownfield site with no impact threatened species habitat, or vegetation. As such, a BDAR waiver request will be lodged along with the SSD application through the Major Projects portal (Please see appendix 1)

9 Closing statement

The proposal detailed in this Scoping Report is the result of careful consideration of the environmental assessments prepared by various experts, a review of current and previous Site operations.

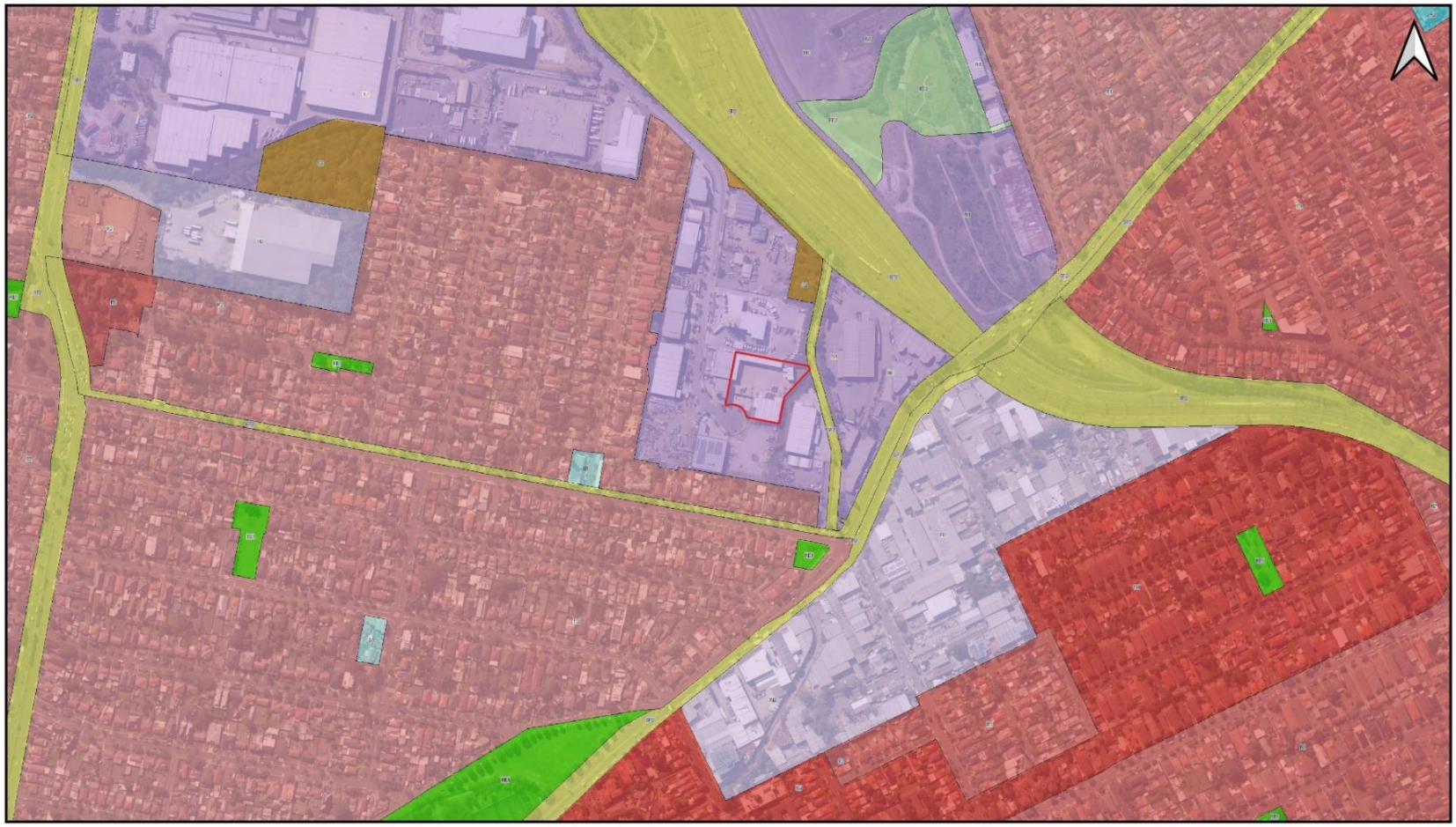
We have worked closely with the applicant to develop a balanced proposal, which allows for positive economic outcomes for the business, while ensuring that the potential for an increase in environmental risk is minimised. Outlined in this proposal are the various environmental controls that are in place on Site, as well as proposed commitments, which we believe will be adequate to manage the increase in scale proposed.

10 List of appendices

Appendix 1. BDAR Waiver.

11 Figures and photos

Land Zoning



4Pillars ENVIRONMENTAL CONSULTING

Legend:

Site boundary

B1 Neighbourhood Centre
C2 Environmental Conservation
IN1 General Industrial
IN2 Light Industrial
R2 Low Density Residential
R3 Medium Density Residential
R4 High Density Residential
RE1 Public Recreation
RE2 Private Recreation
SP2 Infrastructure

0 100 200 m

Date produced: 30/03/2022
CRS: EPSG:3857
Basemap imagery: Sixmaps
Drawn by: Sophie Burke

Sensitive Receivers

4Pillars ENVIRONMENTAL CONSULTING

Legend:

Receivers
- EPL points

Distance from site
Sensitive Receiver

0 80 160 m

Date produced: 16/05/2022
CRS: EPSG:3857
Basemap imagery:NSWSixMap
Drawn by: Sophie Burke

Proposed Site layout

Legend:

Proposed Site Layout
- Mobile Plant
- Potential - Material Conveyor
- Internal Material Storage Bays

- Awning
- Material bays

Existing Site infrastructure
- Diesel Refill Area

- Mechanics workshop
- Warehouse
- Wheel Wash
- Weighbridge
- Drains

0 10 20 m

Date produced: 16/05/2022
CRS: EPSG:3857
Basemap imagery:NearMap
Drawn by: Sophie Burke

Appendix 1 – BDAR Waiver